

1 BILL NO. S-86-02-25

2 SPECIAL ORDINANCE NO. S-

3 AN ORDINANCE of the Common Council
4 of the City of Fort Wayne, Indiana,
5 approving the transfer of cable
6 franchises as previously granted
7 by the City of Fort Wayne, Indiana.

8 WITNESSETH:

9 WHEREAS, pursuant to General Ordinance Numbers G-03-79
10 and G-06-20-78, the City of Fort Wayne, Indiana, by and through
11 the Common Council, awarded cable television franchises to Citizens
12 Cable Communications, Inc. ("Citizens Cable"), (or its predecessors
13 by name change or otherwise);

14 WHEREAS, Citizens Cable has requested a transfer of
15 such franchises, such request previously having been filed with
16 the Board of Public Works and Safety of the City of Fort Wayne,
17 pursuant to Section 7.5-3(e) of the Cable Communications System
18 Ordinance as contained in the Municipal Code of the City of Fort
19 Wayne, Indiana;

20 WHEREAS, such request for transfer, as made by Citizens
21 Cable, includes the transfer of Citizens Cable stock to Comcast
22 Corporation and a transfer of the cable television franchises,
23 as referenced herein, to Comcast Cablevision of Indiana Limited
24 Partnership, an Indiana limited partnership whose general partner
25 is Comcast Cable of Indiana, Inc., a wholly-owned subsidiary of
26 Comcast Corporation;

27 WHEREAS, the Board of Public Works and Safety has held
28 a hearing with respect to such transfers and has approved of same
29 by the passage of resolutions adopted by the Board on January 15,
30 1986, copies of which are attached and made a part hereof; and

31 WHEREAS, such transfers are now submitted to the Common
32 Council for approval.

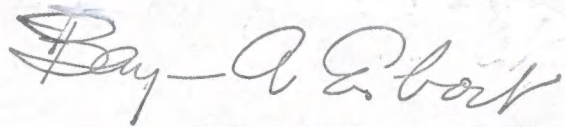
33 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
34 THE CITY OF FORT WAYNE, INDIANA:

1 Page Two

2 SECTION 1. Approval and consent is hereby given by the
3 Common Council of the City of Fort Wayne, Indiana, for the transfer
4 of Citizens Cable stock to Comcast Corporation and approval and
5 consent is given for the transfer of the franchises (as previously
6 awarded to Citizens Cable) to Comcast Cablevision of Indiana
7 Limited Partnership, an Indiana limited partnership whose general
8 partner is Comcast Cable of Indiana, Inc., a wholly-owned subsi-
9 diary of Comcast Corporation. Provided, however, that such consent
10 and approval as herein given shall not in any fashion diminish or
11 modify the obligations and duties of the franchise holder; the
12 consent as herein given shall not in any fashion limit or diminish
13 the rights of the City as provided in the Cable Communications
14 Systems Ordinance Number G-27-77 and all amendments thereto; and
15 all terms and conditions of the cable television franchises; con-
16 tracts awarding same; the Cable Communications System Ordinance
17 and all amendments thereto; and all agreements by and between the
18 franchise holder and the City shall remain in full force and effect
19 and binding in all respects upon franchisee.

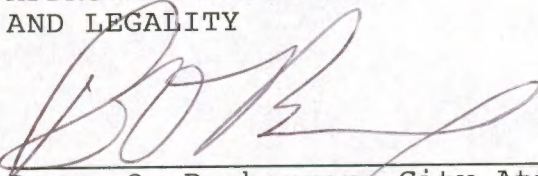
20 SECTION 2. The franchises as herein referred to and as
21 being transferred to Comcast Cablevision of Indiana Limited Part-
22 nership, are in full force and effect and there are no known
23 defaults thereunder.

24 SECTION 3. That this Ordinance shall be in full force
25 and effect from and after passage and any and all necessary ap-
26 proval by the Mayor.

27 

28 Councilmember

29 APPROVED AS TO FORM
30 AND LEGALITY

31 

32 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.

DATE: _____

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Esther, seconded by _____, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: _____

Nadine Esteroff
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE (RESOLUTION) NO. S-35-86 on the 11th day of March, 1986.

ATTEST:

(SEAL)

Nadine Esteroff
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 1986, at the hour of 11:30 o'clock PM.M., E.S.T.

Nadine Esteroff
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of March, 1986, at the hour of 3⁰⁰ o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

1/15/86

CCFW
RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY

WHEREAS, a cable television franchise was granted by the Common Council of the City of Fort Wayne to Citizens Cable of Fort Wayne, Inc. under General Ordinance No. G-6-20-78; and

WHEREAS, by Resolution No. R-153-84 the Common Council of the City of Fort Wayne approved the acquisition by Citizens Cable Communications, Inc. of 80% of the stock of Citizens Cable of Fort Wayne, Inc. from Cox Cable Communications, Inc., which acquisition resulted in Citizens Cable Communications, Inc. thereafter holding 100% of the stock of Citizens Cable of Fort Wayne, Inc.; and

WHEREAS, the name of Citizens Cable of Fort Wayne, Inc. was changed to Cox Cable of Fort Wayne, Inc. for a period of time and was subsequently changed back to Citizens Cable of Fort Wayne, Inc.; and

WHEREAS, Citizens Cable Communications, Inc. has requested that the Board of Public Works and Safety of the City of Fort Wayne approve the acquisition by Comcast Corporation of all of the stock of Citizens Cable Communications, Inc.; and

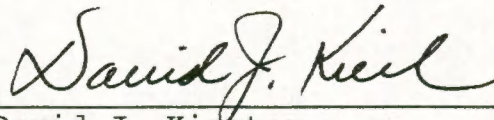
WHEREAS, Comcast Corporation has requested the Board of Public Works and Safety to approve the transfer of the cable television franchise to Comcast Cablevision of Indiana Limited Partnership, an Indiana limited partnership whose general partner is Comcast Cable of Indiana, Inc., a wholly-owned subsidiary of Comcast Corporation.

NOW, THEREFORE, it is resolved that the Board of Public Works and Safety of the City of Fort Wayne consents that Comcast

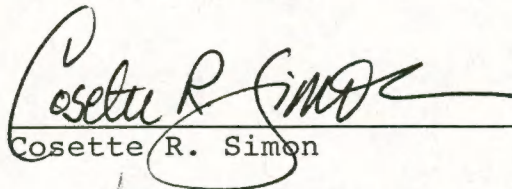
Corporation acquire all of the stock of Citizens Cable Communications, Inc. and approves the transfer of the cable television franchise to Comcast Cablevision of Indiana Limited Partnership, an Indiana limited partnership whose general partner is Comcast Cable of Indiana, Inc., a wholly-owned subsidiary of Comcast Corporation. All of the terms and conditions of the cable television franchise, the contract awarding the franchise, the Cable Communications System Ordinance and all amendments thereto and all agreements by and between the franchisee and the City shall remain in full force and effect and be binding in all respects upon the transferee; there are no presently known defaults by the franchisee; this consent shall not be construed to in any fashion diminish or modify the obligations and duties of the franchise holder; and nor shall this consent in anyway limit or diminish the rights of the City, as provided in the Cable Communications System Ordinance No. G-27-77 and all amendments thereto and all agreements between the franchisee and the City.

Approved and adopted January 15, 1986.

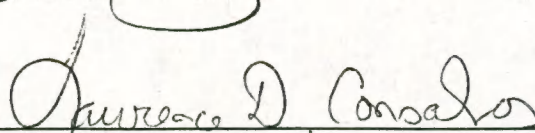
CITY OF FORT WAYNE BOARD OF
PUBLIC WORKS AND SAFETY



David J. Kiester, Member

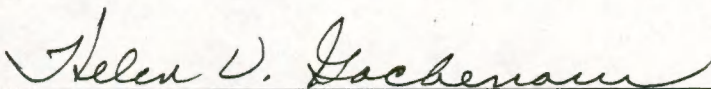


Cosette R. Simon, Member



Lawrence D. Consalvos, Member

ATTEST:



Helen V. Gochenour, Clerk to the Board

HI 76-5-24
11/15/86

CCAC
RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY

WHEREAS, a cable television franchise was granted by the Common Council of the City of Fort Wayne to Citizens Cable of Allen County, Inc. under General Ordinance No. G-03-79; and

WHEREAS, Citizens Cable Communications, Inc., the sole shareholder of Citizens Cable of Allen County, Inc., has requested that the Board of Public Works and Safety of the City of Fort Wayne approve the acquisition by Comcast Corporation of all of the stock of Citizens Cable Communications, Inc.; and

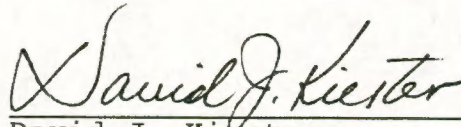
WHEREAS, Comcast Corporation has requested the Board of Public Works and Safety to approve the transfer of the cable television franchise to Comcast Cablevision of Indiana Limited Partnership, an Indiana limited partnership whose general partner is Comcast Cable of Indiana, Inc., a wholly-owned subsidiary of Comcast Corporation.

NOW, THEREFORE, it is resolved that the Board of Public Works and Safety of the City of Fort Wayne consents that Comcast Corporation acquire all of the stock of Citizens Cable Communications, Inc. and approves the transfer of the cable television franchise to Comcast Cablevision of Indiana Limited Partnership, an Indiana limited partnership whose general partner is Comcast Cable of Indiana, Inc., a wholly-owned subsidiary of Comcast Corporation. All of the terms and conditions of the cable television franchise, the contract awarding the franchise, the Cable Communications System Ordinance and all amendments thereto and all agreements by and between the franchisee and the City shall remain in full force and effect and be binding in all respects upon the transferee;

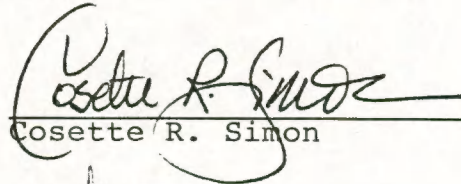
there are no presently known defaults by the franchisee; this consent shall not be construed to in any fashion diminish or modify the obligations and duties of the franchise holder; and nor shall this consent in anyway limit or diminish the rights of the City, as provided in the Cable Communications System Ordinance No. G-27-77 and all amendments thereto and all agreements between the franchisee and the City.

Approved and adopted January 15, 1986.

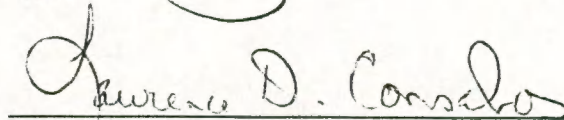
CITY OF FORT WAYNE BOARD OF
PUBLIC WORKS AND SAFETY



David J. Kiester, Member

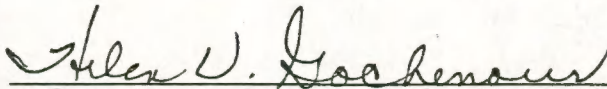


Cosette R. Simon, Member



Lawrence D. Consalvos, Member

ATTEST:



Helen V. Gochenour, Clerk to the Board

BILL NO. S-86-02-25

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) XXXXXXX of the Common Council
of the City of Fort Wayne, Indiana, approving the transfer of
cable franchises as previously granted by the City of Fort Wayne,
Indiana

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

Ben A. Eisbart

BEN A. EISBART
CHAIRMAN

Janet G. Bradbury

JANET G. BRADBURY
VICE CHAIRWOMAN

Donald J. Schmidt

DONALD J. SCHMIDT

Thomas C. Henry

THOMAS C. HENRY

Charles B. Redd

CHARLES B. REDD

CONCURRED IN

3-11-86

SANDRA E. KENNEDY
CITY CLERK